

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated November 9, 2007 has been received and its contents carefully reviewed.

Claims 1, 3 and 6-9 are hereby amended. Claims 2, 4, 10 and 11 were previously cancelled. Accordingly, claims 1, 3, 5-9 and 12-16 are currently pending, with claims 5-9 and 12-16 being withdrawn from consideration. Upon indication of allowability of claim 1, Applicant respectfully requests rejoinder of claims 5-9, as they depend from claim 1. Reexamination and reconsideration of the pending claims are respectfully requested.

Claim 3 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully traverses the rejection and requests reconsideration. The Office states it is unclear what moieties are included in the compound and objects to the phrase “bonded to a substrate.” Without admitting to the propriety of the rejection and in order to advance prosecution, Applicant has amended claim 3 to overcome the rejection. Accordingly, Applicant respectfully requests withdrawal of the rejection.

Claims 1 and 3 are rejected under 35 U.S.C. §102(b) as being anticipated by Behringer et al., Inorganic Chemistry, 1996, 35, p. 1814-1819 (hereinafter “Behringer”). The rejection is respectfully traversed and reconsideration is requested.

Independent claim 1 is allowable over Behringer in that the claim recites a combination of elements including, for example, “compound selected from the group consisting of: 1-diethylphosphino-2-triethoxysilylethane, 1-dimethylphosphino-2-trimethoxysilylethane, 1-diethylphosphino-2trimethoxysilylethane, 1-diphenylphosphino-2-trimethoxysilylethane, 1-dimethylphosphino-3triethoxysilylpropane, 1-diethylphosphino-3-triethoxysilylpropane, 1-diphenylphosphino-2-trichlorosilylethane, 1-diphenylphosphino-2trisdimethylaminosilylethane, 1-diphenylphosphino-2-triisocyanatosilylethane and 1-diphenylphosphino-4-triethoxysilylethylbenzene, wherein the material prevents copper diffusion.” Behringer does not teach at least these features of the claimed invention. That is, claim 1 is not anticipated by Behringer because Behringer does not specifically name the compounds as recited in claim 1. The Examiner states that Behringer discloses 1-diphenylphosphino-3-triethoxysilylpropane on page 3 of the last Office Action. However, this compound is not recited in present claim 1. Furthermore, Behringer is completely silent with

respect to any copper-related properties of any disclosed compounds. Behringer is also completely silent with respect to the amount of any compound produced, thus, the assertion of the Office that the teaching of a compound alone is enough to teach the limitation "wherein the material prevents copper diffusion" is in error. Accordingly, Applicant respectfully submits that claim 1, and claim 3, which depends therefrom, are allowable over Behringer and respectfully requests withdrawal of the 35 U.S.C. §102(b) rejection.

The application is in condition for allowance and early, favorable action is respectfully solicited. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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